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MEMORANDUM

TO: Licensed Children's Residential Facilities
FROM: Lynne Williams, Director
DATE: June 8, 2012
RE: Legislative Update, 2012

As many of you are aware House Bill (HB) 971 was passed in this year's General Assembly session and is effective July 1, 2012. This bill results in changes to § 63.2-1726 of the Code of Virginia (Code). The following is guidance on what the changes are and how the Division of Licensing Programs is going to handle them:

HB 971 **§63.2-1726**

1. What does HB 971 say?

HB 971 adds the following crimes to the definition of "barrier crime" at § 63.2-1726 of the Code:

- Felony violation of a protective order as set out in § 16.1-253.2;
- Abduction as set out in subsection B of § 18.2-47 – "Any person who, by force, intimidation or deception, and without legal justification or excuse, seizes, takes, transports, detains or secretes another person with the intent to subject him to forced labor or services shall be deemed guilty of "abduction"; and
- Felony violation of a protective order as set out in § 18.2-60.4.

2. What program does this legislation affect?

- Licensed children's residential facilities

3. How will this affect the inspection of background checks?

Criminal history record reports received on or after July 1, 2012 by the Office of Background Investigations for individuals required to have background checks in the program above must be screened for these additional crimes listed at § 63.2-1726. Criminal history record reports received before July 1, 2012 by the Office of Background Investigations are not to be screened for these new barrier crimes.